

# EXHIBIT 2

## BREAKING NEWS

U.S. is preparing to designate Iran's Islamic Revolutionary Guard Corps as a foreign terrorist organization, increasing pressure on Tehran

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## TECHNOLOGY

# Apple-Samsung Patent War Pits Two Legal Stars

Apple's Veteran Litigator Squares Off Against Samsung's Rising Star in Silicon Valley Courtroom

By Jessica E. Vascellaro And Ashby Jones

Updated Aug. 3, 2012 9:49 a.m. ET

SAN JOSE, Calif.—As Apple Inc. [AAPL 0.67% ▲](#) and Samsung Electronics Co. dig in for weeks of jostling in a federal courtroom here, the contrasting personalities and tactics of their head lawyers are adding to the drama.

On one side is 65-year-old veteran Harold McElhinny, who represents Apple and came of age well before the dot-com boom. He has been involved in a number of high-stakes intellectual property cases, including Fujitsu Ltd.'s [FJTSY -0.18% ▼](#) fight against International Business Machines Inc. [IBM 0.35% ▲](#) in the 1990s and Pioneer Corp.'s battle against Samsung's television subsidiary in the past decade.

Mr. McElhinny, who works in the San Francisco office of Morrison & Foerster LLP, is a storyteller who portrays himself to jurors as a straight shooter.

In his opening statement Tuesday, he promised to "be honest" with the jury and said it was his job to "make sure that the evidence comes in clearly, that it gives you what you need to do your job."

Apple is trying to convince a jury that Samsung ripped off its iPhone and iPad designs, and block Samsung's smartphones from stores.

Defending Samsung is 49-year-old Charles Verhoeven, an Iowa native who is soft-spoken and intense. He gravitated to patent cases in the mid- 1990s as an associate at Quinn Emanuel Urquhart & Sullivan LLP, where he is a partner.

Within the clubby Silicon Valley intellectual-property bar, Mr. Verhoeven is widely seen as an emerging star—one that keeps a very full docket. The San Francisco-based lawyer has led much of the work in the U.S. for the makers of Android-based smartphones in their battles against Apple.

He represented Yahoo Inc. in its recent patent lawsuit against Facebook Inc., [FB -0.17% ▼](#) which was settled last month. In recent years, he has handled significant patent cases for Google Inc., Genentech Inc. and Cisco Systems Inc. [CSCO 0.13% ▲](#)

"He's had a very good run, and his reputation has been on a steady climb," said Ron Shulman, a patent lawyer with Latham & Watkins LLP in Menlo Park, Calif.

After Mr. McElhinny asserted that Samsung decided "at the highest corporate level" to copy the iPhone, Mr. Verhoeven told the nine jurors not to be swayed by Apple's success and labeling of Samsung as a "copyist."

His rhetoric was harsher than his opponent's, calling some Apple moves "unfair" and painting it as the aggressor, saying "Samsung isn't in the habit of suing its business partners."

His firm's sharp and aggressive managing partner, John Quinn, 61, triggered some of the most heated exchanges during the first two days of the trial—and an unusual release to the media of evidence the judge had ordered excluded from the case.

## THE IPHONE THAT SHOULD HAVE BEEN



Apple experimented with making the iPhone silver and boxy. APPLE

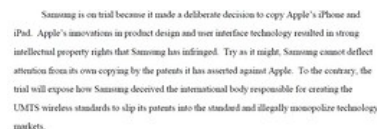
## DOCUMENTS: LAWSUIT AND COUNTERCLAIM

See annotated versions of Apple's lawsuit and Samsung's counterclaim in the case.



## DOCUMENTS: TRIAL BRIEFS

See Apple's and Samsung's trial briefs, filed days ahead of the trial.



These pictures, by now familiar to the Court, remain the basic story of our case:



## PHOTOS: WHAT'S AT STAKE

See some of the products at stake in the case.



Samsung's Galaxy Tab 10.1 tablet PARK JAE-HEE/XINHUA/ZUMA PRESS

## TIMELINE: TABLET TIFF

See major events of Samsung's legal woes in patent infringement cases versus Apple.

With much of the trial turning on murky technical issues, the lawyers' personalities and ability to simplify the jargon could take on added significance, trial veterans say.

Samsung's legal team may face more hurdles there, they add, pressing patent claims related to wonky topics like how phones communicate and compress data. Apple's case is based more on aesthetics, including the iPhone's rounded rectangular design.

Other lawyers, however, say that Mr. Verhoeven's detailed, technical approach might play well with the nine-member jury, which was drawn largely from Silicon Valley.

In some ways, Mr. Verhoeven's focused, uncompromising style mirrors that of Quinn Emanuel, which has morphed over 26 years from a handful of scrappy lawyers to a global force in business litigation. Its lawyers are generally known as aggressive, highly competitive and often unyielding.

Paul Brinkman, a partner in Quinn Emanuel's Washington, D.C., office, said that even among lawyers at the hard-charging firm, Mr. Verhoeven's stamina and focus were unparalleled. "Look, he led eight trials last year alone," he said. "Even some of us who know Charlie pretty well have no idea how he keeps that energy, that focus."

Samuel Baxter, a principal at law firm McKool Smith, says Mr. McElhinny is equally dogged, despite an easy, straightforward manner.

When the two were both representing Pioneer—which sued Samsung over plasma TVs in 2006—he said Mr. McElhinny ruthlessly hammered on the importance of one key piece of evidence—which he described as an email between Samsung employees expressing concern they were violating a Pioneer patent. A jury awarded Pioneer \$56 million in damages in 2008.

"It was pretty masterful how he got every witness to talk about the email," Mr. Baxter said. Mr. McElhinny is an incredibly hard worker, he added, constantly fretting about being prepared. "He will wear you out every night worrying," he said.

The fight between the longtime litigators will resume with a third day of proceedings Friday. They will face particular pressure in this case, one of a slew of battles between Apple and other makers drawing intense interest from media, lawyers and technology companies around the world.



Though fierce rivals in the mobile-device market, the companies' relationship is complicated by the fact that Apple buys key components from Samsung.

Their battle has raged since Apple filed a suit last year that accused Samsung of ripping off its iPhone and iPad designs, prompting the South Korean company to file back with patent

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#### IN SAMSUNG'S CORNER

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Charles Verhoeven

**Charles Verhoeven, 49**

Law School: University of Iowa

**Firm:** Quinn Emanuel Urquhart & Sullivan

**Notable Case:**

Defended Broadcom, Nvidia and others against infringement claims from Rambus

## IN APPLE'S CORNER



Harold McElhinny

**Harold McElhinny, 65**

Law School: University of Calif., Berkeley

**Firm:** Morrison & Foerster**Notable Case:** Helped represent Fujitsu against IBM in a software copyright case in the 1990s

Apple attorney Harold McElhinny, left, questions Apple designer Christopher Stringer in this court sketch. REUTERS

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